

# Court of Chancery



Chancellor William B. Chandler III

The construction of the new Court of Chancery building on The Circle in Georgetown will enable the consolidation of all the support staff of the Court which will facilitate improved access for the public and the bar. With the transition of the Register in Chancery to a statewide office and with the implementation of statewide practices and procedures in all three counties, there has been an increased accessibility and understanding for anyone dealing with the Court. The Court has recently installed the same docketing software in all three counties that previously only the New Castle County Register in Chancery Office used. This docketing system is now accessible also by the Chambers staff to better facilitate the management of the caseloads. The Court of Chancery looks forward to the COTS initiative which will help mesh the information from the Register in Chancery and the other Courts statewide to better improve the entire Court system's accessibility to the public and the bar through e-filing and internet access to case information.

## COURT OF CHANCERY



*Seated* (left to right)  
Vice Chancellor Jack B. Jacobs  
Vice Chancellor Stephen P. Lamb

*Standing* (left to right)  
Vice Chancellor John W. Noble  
Chancellor William B. Chandler III  
Vice Chancellor Leo E. Strine, Jr.

### Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

### Court History

The Court of Chancery came into existence as a separate court under the constitution of 1792. It was modeled on the High Court of Chancery in England and is in direct line of succession from the Court. The Court consisted solely of the chancellor until 1939 when the position of vice chancellor was added. The increase of the Court's workload, since then, has led to further expansions to its present complement of a chancellor and four vice chancellors, with the addition of the fourth vice chancellor being made in 1989.

### Geographic Organization

The Court of Chancery holds court in Wilmington, Dover and Georgetown. The chancellor and vice chancellors are nominated by the Governor and must be confirmed by the Senate for 12-year terms. The chancellor and vice chancellors must be learned in the law and must be Delaware citizens.

### Public Guardian

The chancellor has the duty to appoint the public guardian.

### Support Personnel

The register in chancery is the clerk of the court for all actions except those within the jurisdiction of the register of wills. The chancellor or vice chancellor resident in the county is to appoint one chief deputy register in chancery in each county. The register in chancery in New Castle County appoints a chief deputy register in chancery as well.

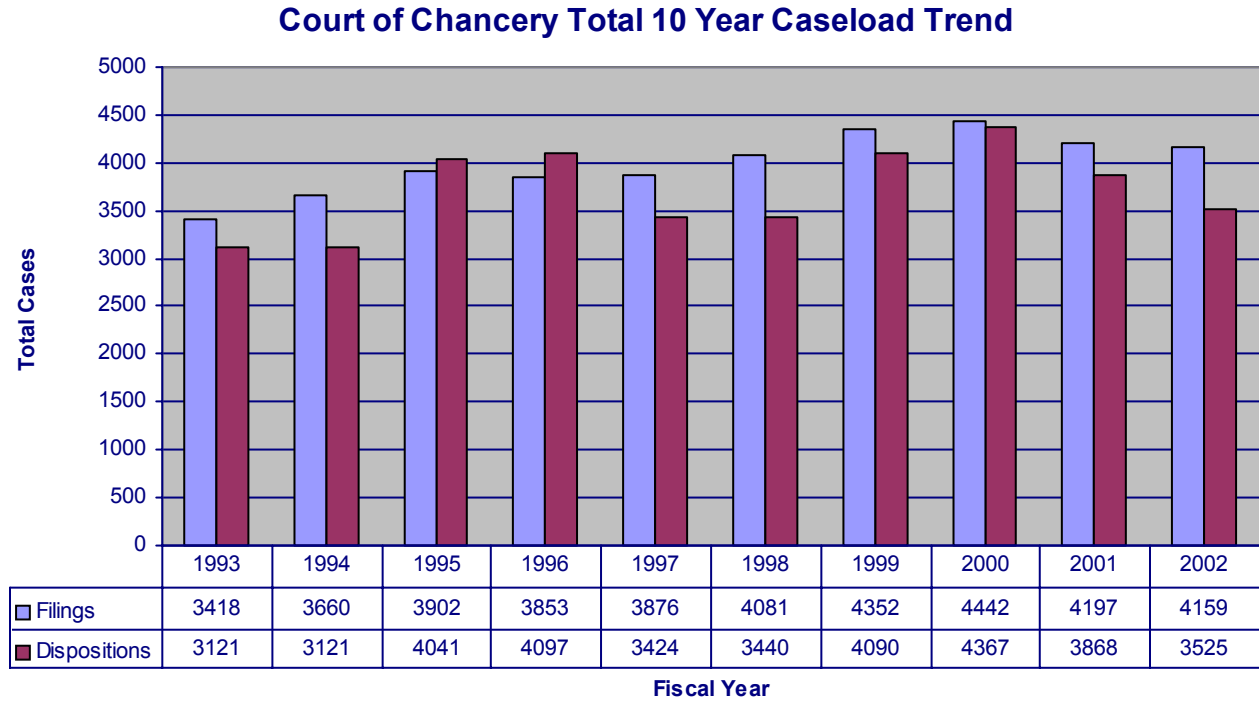
### Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, questions of title to real estate, and commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court (10 Del. C., 369).

<b>COURT OF CHANCERY</b>							
<b>Caseload Summary Fiscal Year 2002 - Total Cases</b>							
	Pending* 6/30/2001	Filings	Dispositions	Pending 6/30/2002	Change In Pending		% Change In Pending
New Castle County	7,793	2,808	2,317	8,284	+491		+6.3%
Kent County	2,160	526	501	2,185	+ 25		+1.2%
Sussex County	3,156	825	707	3,274	+118		+3.7%
<b>State</b>	<b>13,109</b>	<b>4,159</b>	<b>3,525</b>	<b>13,743</b>	<b>+634</b>		<b>+4.8%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Total Cases Filed</b>							
	2001		2002		Change		% Change
New Castle County	2,841		2,808		-33		-1.2%
Kent County	492		526		+34		+6.9%
Sussex County	864		825		-39		-4.5%
<b>State</b>	<b>4,197</b>		<b>4,159</b>		<b>-38</b>		<b>-0.9%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Total Cases Disposed</b>							
	2001		2002		Change		% Change
New Castle County	2,731		2,317		-414		-15.2%
Kent County	453		501		+ 48		+10.6%
Sussex County	684		707		+ 23		+ 3.4%
<b>State</b>	<b>3,868</b>		<b>3,525</b>		<b>-343</b>		<b>- 8.9%</b>

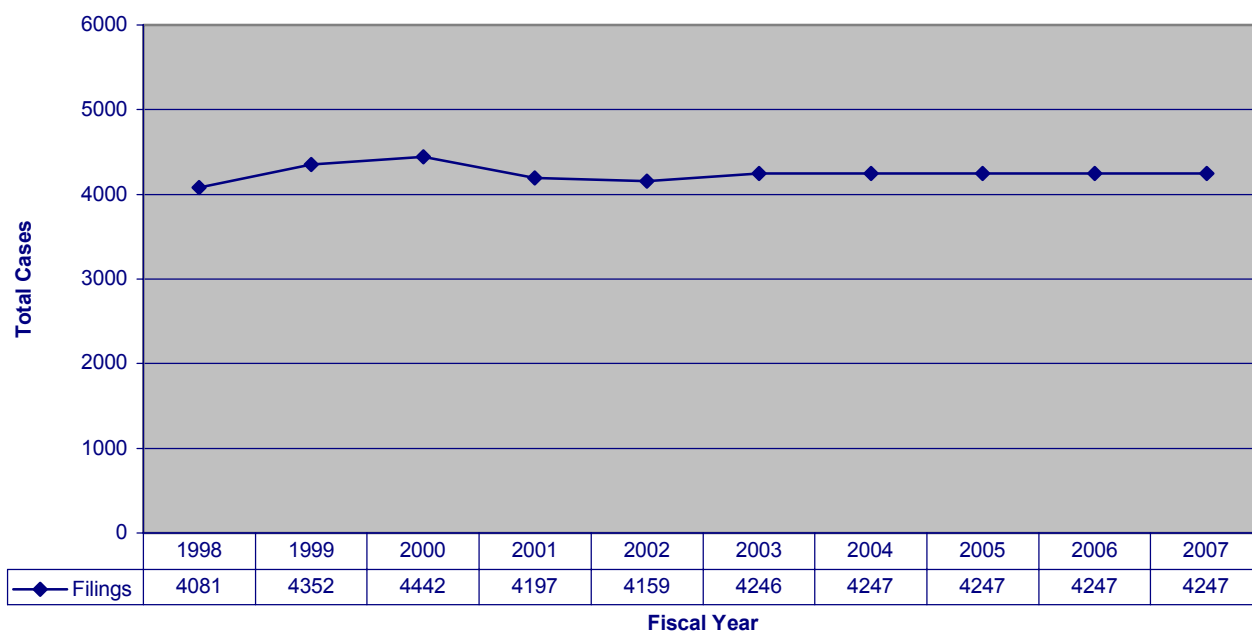
\*Total pending as of 6/30/01 amended for Kent County and State.

Source: Registers in Chancery, Registers of Wills; Administrative Office of the Courts.

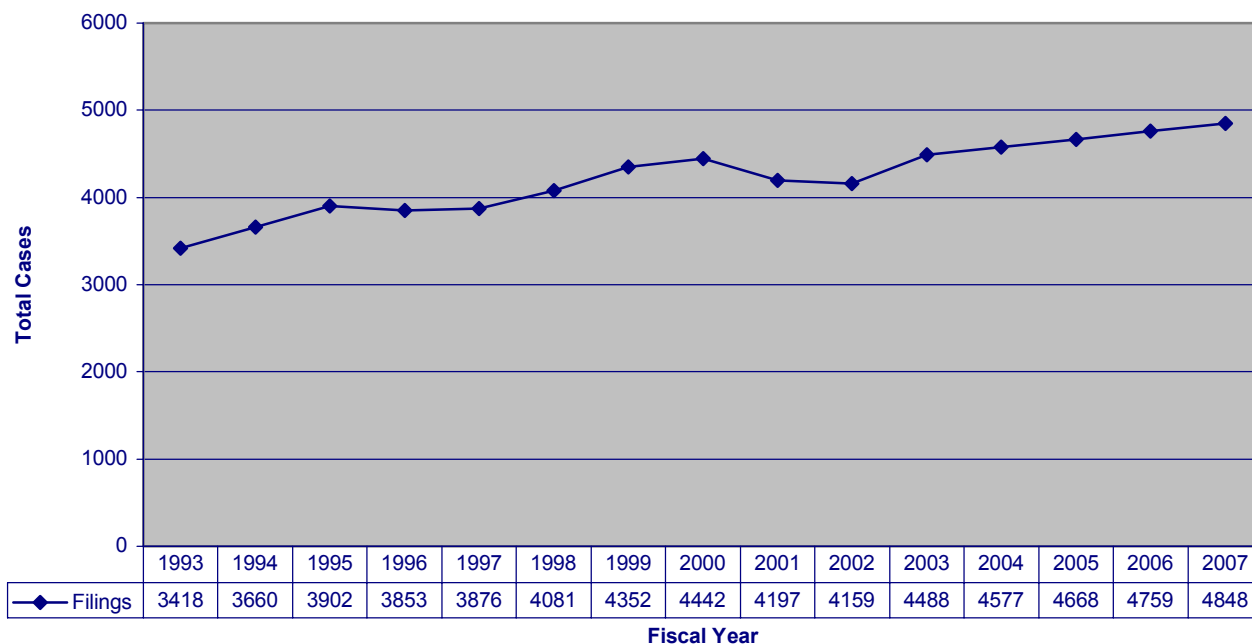


Source: Register in Chancery; Register of Wills; Administrative Office of the Courts.

### Court of Chancery Total 5 Year Projections With 5 Year Base



### Court of Chancery Total 5 Year Projections With 10 Year Base

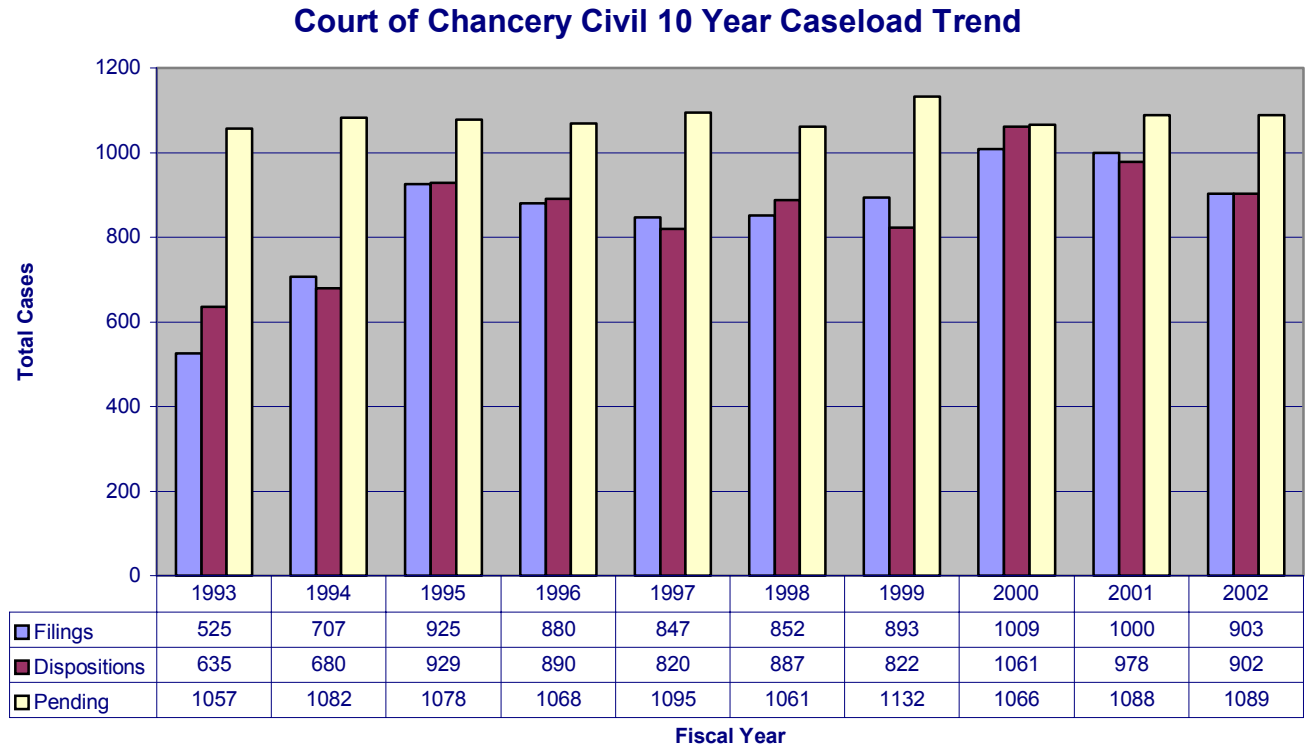


Trend lines computed by regression analysis.

Source: Registers in Chancery, Registers of Wills; Administrative Office of the Courts.

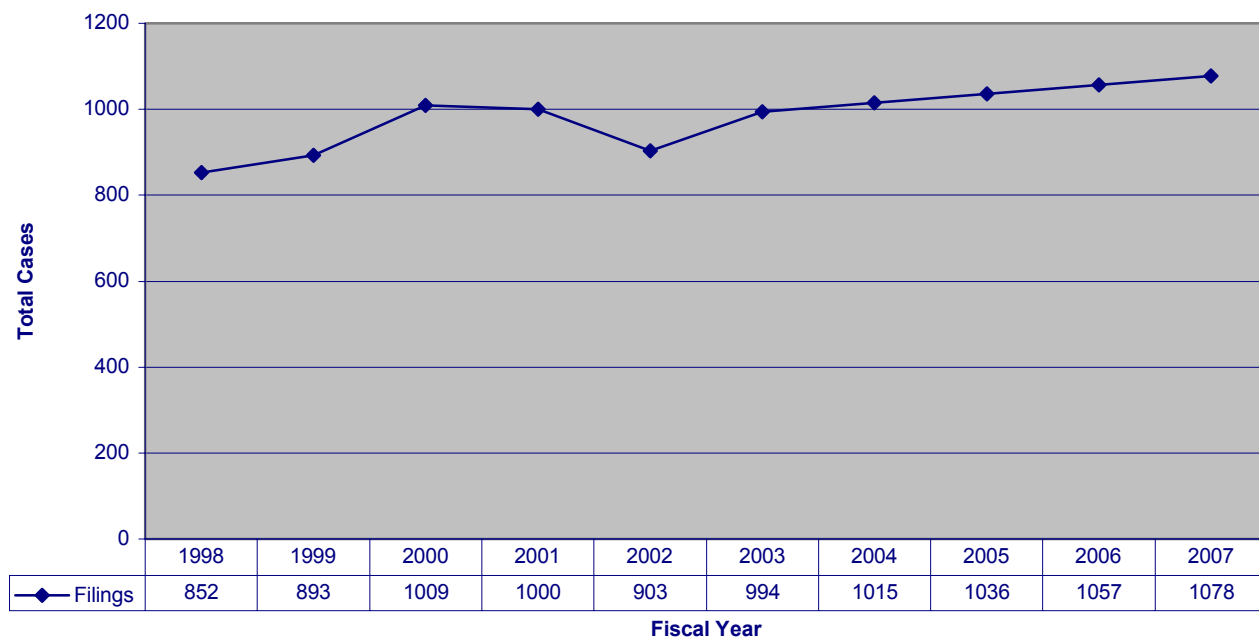
<b>COURT OF CHANCERY</b>						
<b>Caseload Summary Fiscal Year 2002 - Civil Cases</b>						
	Pending 6/30/2001	Filings	Dispositions	Pending 6/30/2002	Change In Pending	% Change In Pending
New Castle County	899	778	778	899	0	0.0%
Kent County	72	45	54	63	- 9	-12.5%
Sussex County	117	80	70	127	+10	+ 8.5%
<b>State</b>	<b>1,088</b>	<b>903</b>	<b>902</b>	<b>1,089</b>	<b>+ 1</b>	<b>+ 0.1%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Civil Filings</b>						
	2001		2002		Change	% Change
New Castle County	908		778		-130	-14.3%
Kent County	31		45		+ 14	+45.2%
Sussex County	61		80		+ 19	+31.1%
<b>State</b>	<b>1,000</b>		<b>903</b>		<b>- 97</b>	<b>- 9.7%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Civil Dispositions</b>						
	2001		2002		Change	% Change
New Castle County	902		778		-124	-13.7%
Kent County	28		54		+ 26	+92.9%
Sussex County	48		70		+ 22	+45.8%
<b>State</b>	<b>978</b>		<b>902</b>		<b>- 76</b>	<b>- 7.8%</b>

Source: Registers in Chancery, Administrative Office of the Courts.

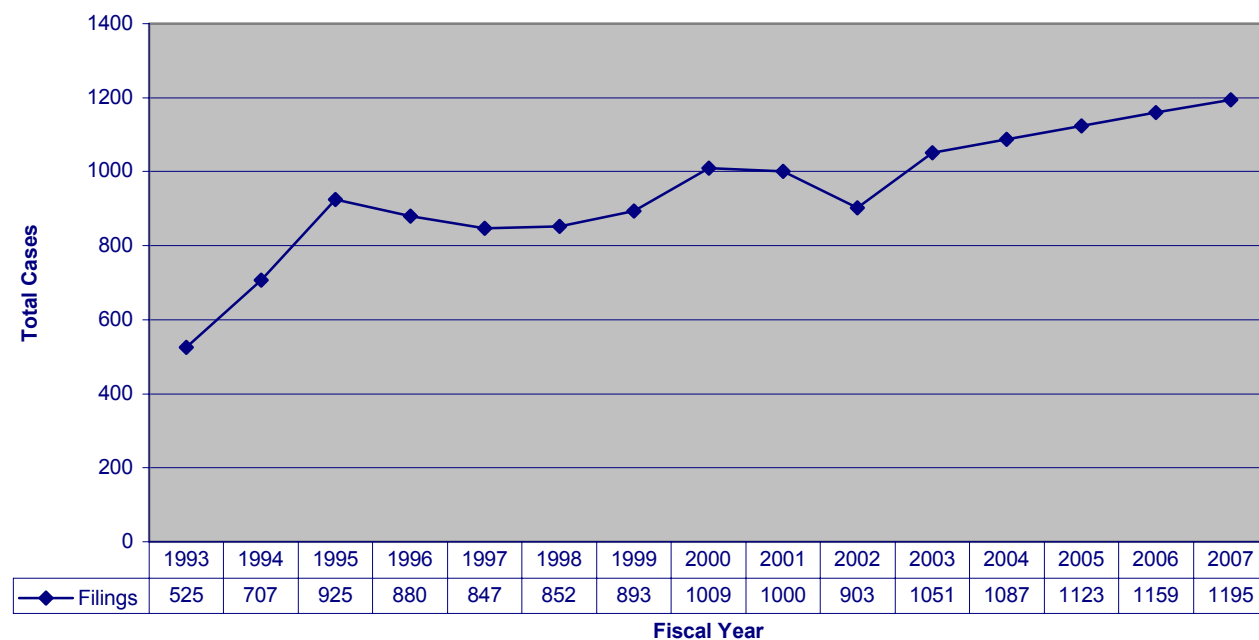


Source: Registers in Chancery, Administrative Office of the Courts.

### Court of Chancery Civil 5 Year Projections With 5 Year Base



### Court of Chancery Civil 5 Year Projections With 10 Year Base



Trend lines computed by regression analysis.

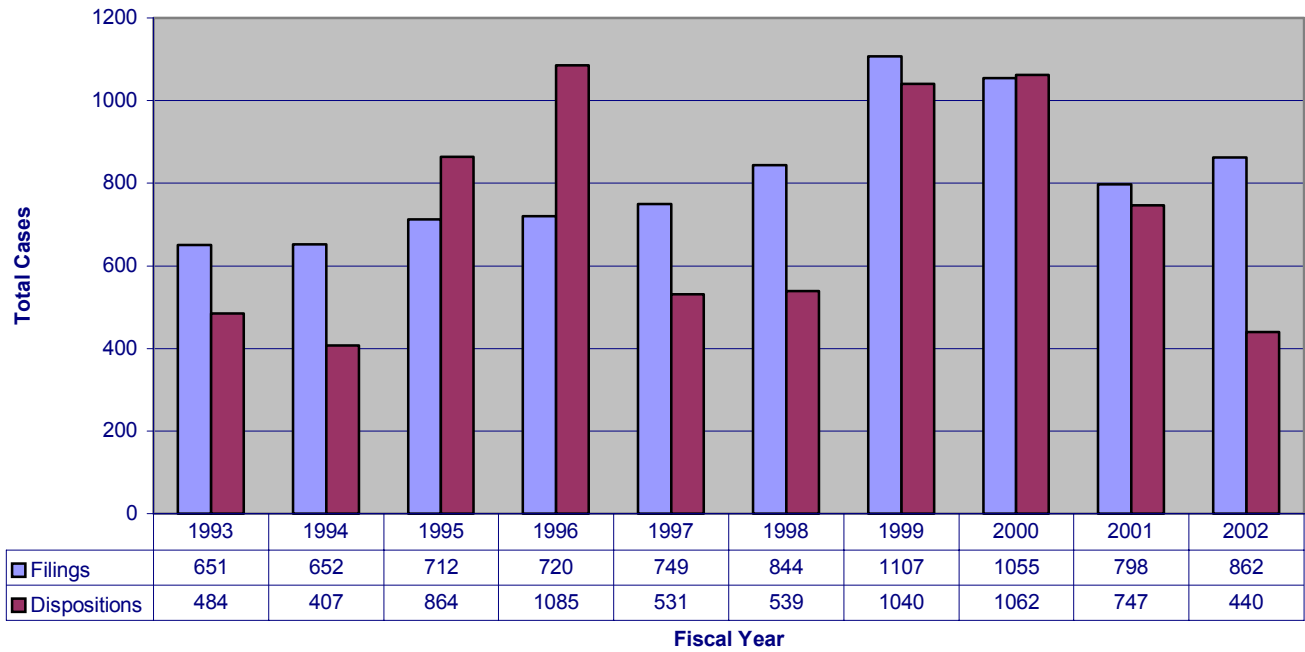
Source: Registers in Chancery, Administrative Office of the Courts.

<b>COURT OF CHANCERY</b>						
<b>Caseload Summary Fiscal Year 2002 - Miscellaneous Matters</b>						
	Pending* 6/30/2001	Filings	Dispositions	Pending 6/30/2002	Change In Pending	% Change In Pending
New Castle County	3,498	581	298	3,781	+283	+8.1%
Kent County	743	121	69	795	+ 52	+7.0%
Sussex County	2,063	160	73	2,150	+ 87	+4.2%
<b>State</b>	<b>6,304</b>	<b>862</b>	<b>440</b>	<b>6,726</b>	<b>+422</b>	<b>+6.7%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Miscellaneous Matters Filings</b>						
	2001		2002		Change	% Change
New Castle County	519		581		+62	+11.9%
Kent County	98		121		+23	+23.5%
Sussex County	181		160		-21	-11.6%
<b>State</b>	<b>798</b>		<b>862</b>		<b>+64</b>	<b>+ 8.0%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Miscellaneous Matters Dispositions</b>						
	2001		2002		Change	% Change
New Castle County	606		298		-308	-50.8%
Kent County	35		69		+ 34	+97.1%
Sussex County	106		73		- 33	-31.1%
<b>State</b>	<b>747</b>		<b>440</b>		<b>-307</b>	<b>-41.1%</b>

\*Pending as of 6/30/01 amended both for Kent County and State.

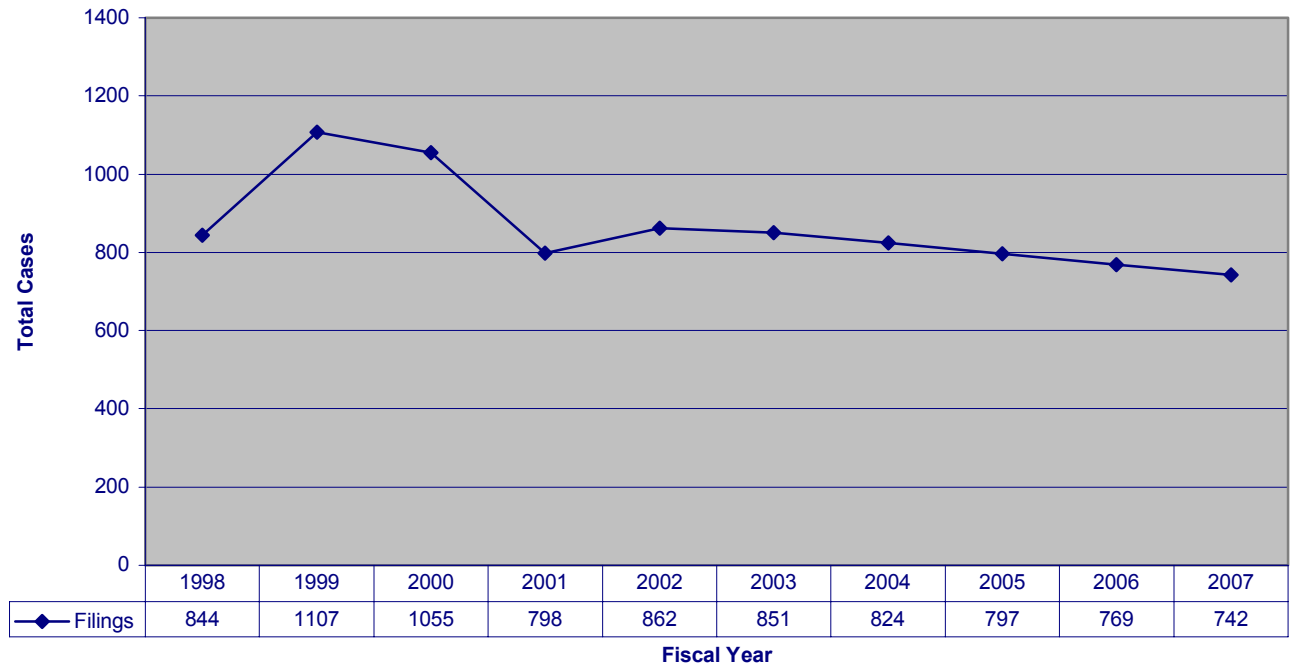
Source: Registers in Chancery; Administrative Office of the Courts.

### Court of Chancery Miscellaneous 10 Year Caseload Trend

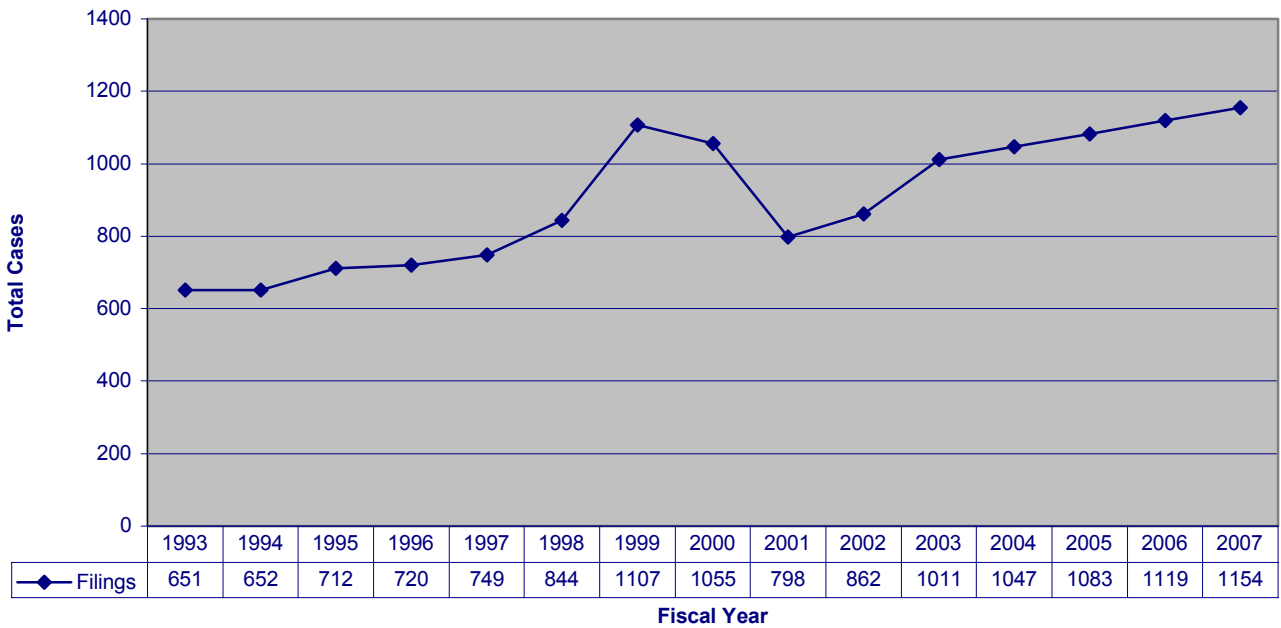


Source: Registers in Chancery, Administrative Office of the Courts.

**Court of Chancery Miscellaneous 5 Year Projections With 5 Year Base**



**Court of Chancery Miscellaneous 5 Year Projections With 10 year Base**



Trend lines computed by regression analysis.

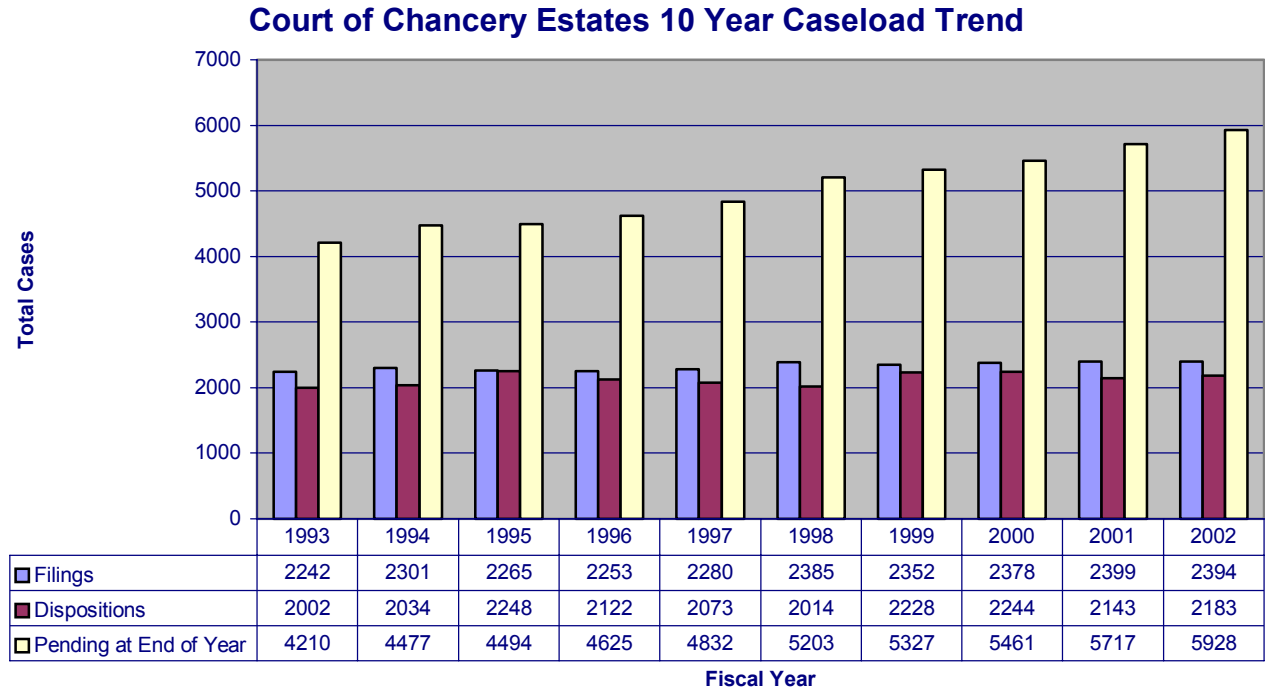
Source: Registers in Chancery, Administrative Office of the Courts.

<b>COURT OF CHANCERY</b>						
<b>Caseload Breakdowns Fiscal Year 2002 - Miscellaneous Matters Filed</b>						
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals	
New Castle County	249	174	50	108	581	100.0%
Kent County	59	50	1	11	121	100.0%
Sussex County	66	63	2	29	160	100.0%
<b>State</b>	<b>374</b>	<b>287</b>	<b>53</b>	<b>148</b>	<b>862</b>	<b>100.0%</b>
<b>Caseload Breakdowns Fiscal Year 2002 - Miscellaneous Matters Disposed</b>						
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals	
New Castle County	135	103	46	14	298	100.0%
Kent County	29	30	3	7	69	100.0%
Sussex County	28	25	3	17	73	100.0%
<b>State</b>	<b>192</b>	<b>158</b>	<b>52</b>	<b>38</b>	<b>440</b>	<b>100.0%</b>
<b>Caseload Breakdowns Fiscal Year 2002 - Miscellaneous Matters Pending at End of Year</b>						
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals	
New Castle County	1,390	1,470	531	390	3,781	100.0%
Kent County	379	307	68	41	795	100.0%
Sussex County	787	1,024	154	185	2,150	100.0%
<b>State</b>	<b>2,556</b>	<b>2,801</b>	<b>753</b>	<b>616</b>	<b>6,726</b>	<b>100.0%</b>
<b>Caseload Breakdowns Fiscal Year 2002 - Miscellaneous Matters Change in Pending</b>						
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals	
New Castle County	114	71	+4	94	283	
Kent County	+30	+20	-+2	+ 4	+52	
Sussex County	+38	+38	-1	+12	+87	
<b>State</b>	<b>182</b>	<b>+129</b>	<b>+1</b>	<b>+110</b>	<b>+422</b>	

Source: Registers in Chancery; Administrative Office of the Courts.

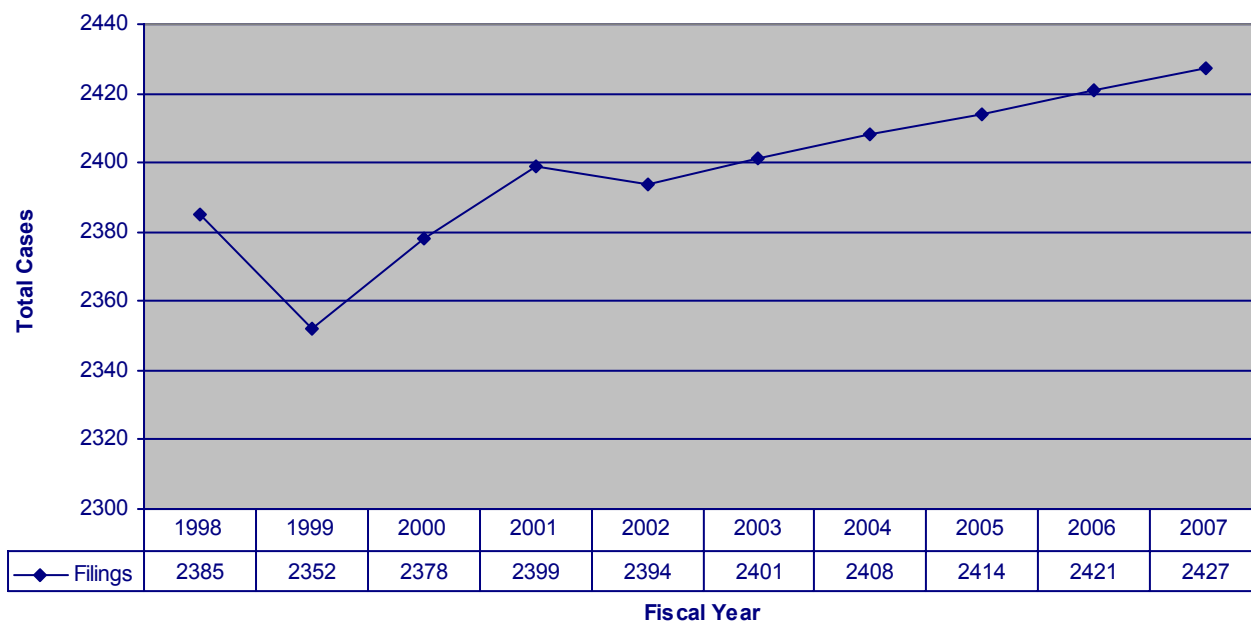
<b>COURT OF CHANCERY</b>						
<b>Caseload Summary Fiscal Year 2002 - Estates</b>						
	Pending 6/30/2001	Filings	Dispositions	Pending 6/30/2002	Change In Pending	% Change In Pending
New Castle County	3,396	1,449	1,241	3,604	+208	+6.1%
Kent County	1,345	360	378	1,327	- 18	-1.3%
Sussex County	976	585	564	997	+ 21	+2.2%
<b>State</b>	<b>5,717</b>	<b>2,394</b>	<b>2,183</b>	<b>5,928</b>	<b>+211</b>	<b>+3.7%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Estates Filings</b>						
	2001		2002		Change	% Change
New Castle County	1,414		1,449		+35	+2.5%
Kent County	363		360		- 3	-0.8%
Sussex County	622		585		-37	-5.9%
<b>State</b>	<b>2,399</b>		<b>2,394</b>		<b>- 5</b>	<b>-0.2%</b>
<b>Caseload Comparison - Fiscal Years 2001-2002 - Estates Dispositions</b>						
	2001		2002		Change	% Change
New Castle County	1,223		1,241		+18	+1.5%
Kent County	390		378		-12	-3.1%
Sussex County	530		564		+34	+6.4%
<b>State</b>	<b>2,143</b>		<b>2,183</b>		<b>+40</b>	<b>+1.9%</b>

Source: Registers of Wills, Administrative Office of the Courts.

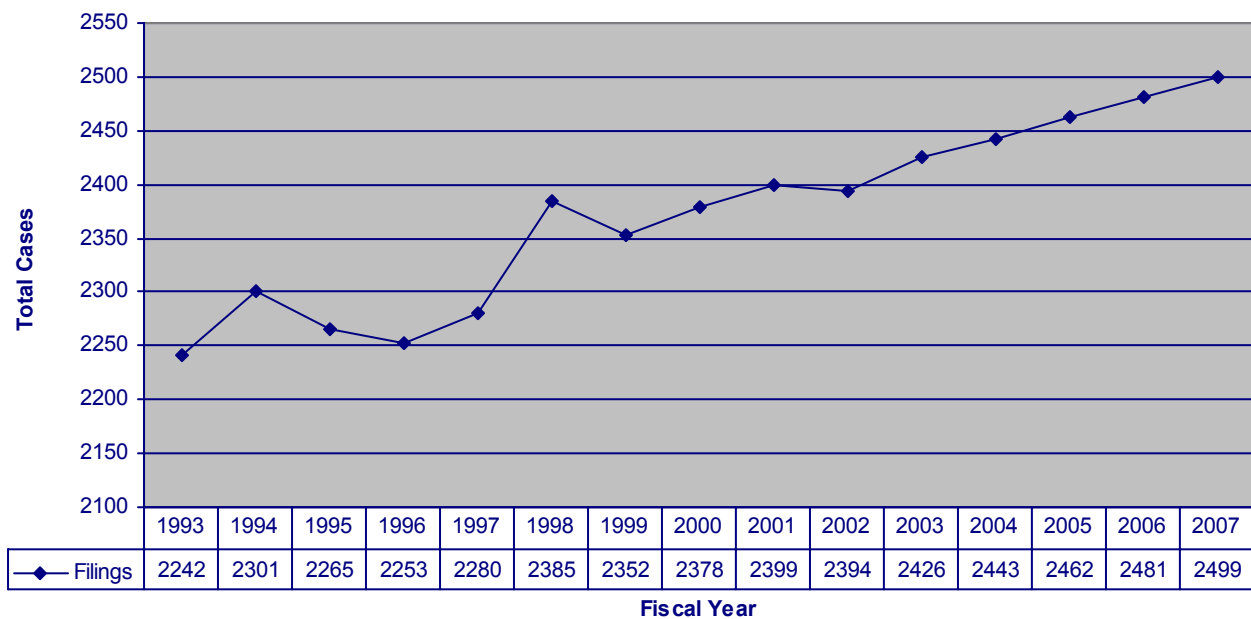


Source: Registers of Wills, Administrative Office of the Courts.

### Court of Chancery Estates 5 Year Projections With 5 Year Base



### Court of Chancery Estates 5 Year Projections With 10 Year Base



Trend lines computed by regression analysis.

Source: Registers of Wills, Administrative Office of the Courts.